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Attorneys for Plaintiff
HARTFORD FIRE INSURANCE COMPANY

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

HARTFORD FIRE INSURANCE
COMPANY,

Plaintiff,

vs.

TEMPUR-SEALY INTERNATIONAL, INC.,
formerly known as TEMPUR-PEDIC
INTERNATIONAL, INC. and TEMPUR-
PEDIC NORTH AMERICA, LLC,

Defendants.

Case No. 3:14-CV-01661-HSG

**STIPULATION AND ORDER
DISMISSING PLAINTIFF'S SECOND
CLAIM FOR RELIEF WITHOUT
PREJUDICE**

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Pursuant to the Court's April 14, 2016 Minute Order, Plaintiff HARTFORD FIRE INSURANCE COMPANY ("Hartford") and Defendants TEMPUR-SEALY INTERNATIONAL, INC. and TEMPUR-PEDIC NORTH AMERICA, LLC (collectively, "Tempur-Sealy") stipulate and agree as follows:

1. Hartford's Second Claim for Relief in its Complaint for Declaratory Relief in this action may be dismissed without prejudice; and
2. Any future action regarding Hartford's obligation to indemnify Tempur-Sealy in connection with the lawsuit captioned *Todd v. Tempur-Sealy International, Inc.*, Case No. 13-cv-04984-JST (N.D. Cal.), shall be filed in the Northern District of California, unless the parties agree to another forum.

DATED: April 27, 2016

SHIPMAN & GOODWIN LLP
James P. Ruggeri (*Pro Hac Vice*)
Katherine M. Hance (*Pro Hac Vice*)

LAFAYETTE & KUMAGAI LLP
Gary T. Lafayette
Melissa A. Dubbs

By: /s/ Gary T. Lafayette
GARY T. LAFAYETTE

Attorneys for Plaintiff HARTFORD FIRE
INSURANCE COMPANY

DATED: April 27, 2016

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INTERNATIONAL, INC. and TEMPUR-PEDIC

NORTH AMERICA, LLC

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ATTESTATION PURSUANT TO GENERAL ORDER NO. 45

Pursuant to General Order No. 45 of the Northern District of California, I attest that concurrence in the filing of this document has been obtained from the other signatory to this document.

DATED: April 27, 2016

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ORDER

THE COURT, having considered the attached stipulation of the parties, orders:

1. That Hartford's Second Claim for Relief in its Complaint for Declaratory Relief in this action is hereby DISMISSED without prejudice; and
2. That any future action regarding Hartford's obligation to indemnify Tempur-Sealy in connection with the lawsuit captioned *Todd v. Tempur-Sealy International, Inc.*, Case No. 13-cv-04984-JST (N.D. Cal.), shall be filed in the Northern District of California, unless the parties agree to another forum.

IT IS SO ORDERED.

DATED: May 16, 2016


THE HONORABLE HAYWOOD S. GILLIAM
UNITED STATES DISTRICT JUDGE

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